

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In the Matter of:

TYRONE PETTERSON
AND
MELANIE D. PETTERSON

Debtors

Chapter 13

Case No. 13-14370-BFK

OBJECTION TO CONFIRMATION OF MODIFIED PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF MODIFIED PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed December 4, 2015. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(a)(6) – Feasibility – As stated in Trustee’s objection to Debtors most recent Plan dated October 6, 2015 and denied confirmation on November 13, 2015, Debtor’s present confirmed Plan provides for \$50,760.00 of total funding. No basis exists under 11 U.S.C. §1129 for Debtor’s proposed reduction in funding to \$43,870.70 simply because of Debtors’ decision to purchase a new vehicle, which purchase was based on the affirmative representation in their Motion to approve financing that the proposed purchase was to assist (rather than derogate) them in fulfillment of their Plan obligations.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and

Notice of Objection To Confirmation

Tyrone Petterson and Melanie D. Petterson, Case # 13-14370-BFK

supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on January 14, 2016 at 1:30 p.m. in Courtroom #3 on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: December 30, 2015

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

Notice of Objection To Confirmation

Tyrone Petterson and Melanie D. Petterson, Case # 13-14370-BFK

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of December, 2015, served via ECF authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Tyrone Petterson
Melanie D. Petterson
Chapter 13 Debtors
8645 Beck Lane
Manassas, VA 20110

Christopher Mark Winslow
Attorney for Debtor
1324 Sycamore Square, Suite 202C
Midlothian, VA 23113

/s/ Thomas P. Gorman
Thomas P. Gorman